

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
HAROLD MILLER,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 15-13334-NMG
)	
LISA MITCHELL,)	
Respondent.)	
_____)	

RESPONDENT LISA MITCHELL'S MOTION TO DISMISS

Respondent Lisa Mitchell hereby moves to dismiss the petition for a writ of habeas corpus filed by petitioner Harold Miller. The petition must be dismissed because one ground for relief has not been exhausted in the state court and relief is not available for the three remaining grounds in a federal habeas corpus petition filed pursuant to the Antiterrorism and Effective Death Penalty Act of 1996.

WHEREFORE, respondent respectfully requests that this Court dismiss the petition for writ of habeas corpus in its entirety.

Respectfully submitted,

Lisa Mitchell
By her attorney,

MAURA HEALEY
ATTORNEY GENERAL

/s/ Jennifer K. Zalnasky

Jennifer K. Zalnasky
BBO No. 650762
Assistant Attorney General
Criminal Bureau
1350 Main Street, 4th Floor
Springfield, Massachusetts 01103
(413) 784-1240, ext. 7746

Motion allowed. JMG/Gordon, VSDJ 9/28/16